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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of )  
)  
Establishment of a Federal )  
Advisory Committee To Negotiate )  
Proposed Technical Rules Governing )  
The Provision of Terrestrial and )  
Satellite Services In The )  
27.5-29.5 GHz Frequency Band )

CC Docket No. 92-297

COMMENTS OF AMERITECH

Ameritech respectfully files these Comments regarding the Commission's proposal to establish an Advisory Committee for the purpose of defining technical rules appropriate to sharing the 27.5-29.5 GHz band by the proposed Local Multipoint Distribution Service ("LMDS")<sup>1</sup> and by satellite services. This effort is a welcome use of the Commission's powers under the Federal Advisory Committee Act<sup>2</sup> and Negotiated Rulemaking Act of 1992.<sup>3</sup> The cooperative efforts of affected industry members are an appropriate and effective means to reach consensus on the language and substance of the sharing rules at issue. This is particularly true given the potential of LMDS to evolve into a robust and widely-used service.

The establishment of the proposed Negotiated Rulemaking Committee ("NRMC"), however, should not proceed in a manner which introduces inordinate delay into the process of LMDS licensing. In particular, the Committee's structure, membership and charter should be designed with intent

<sup>1</sup> Rules for the proposed service were proposed in Rulemaking to Amend Part 1 and Part 21 of the Commission's Rules to Redesignate the 27.5 - 29.5 GHz Frequency Band And To Establish Rules and Policies for Local Multipoint Distribution Service, CC Docket No. 92-297, Notice Of Proposed Rulemaking, Order, Tentative Decision and Order on Reconsideration, 8 FCC Rcd 557 (1993).

<sup>2</sup> 5 U.S.C. App. 2.

<sup>3</sup> Public Law 101-468, November 28, 1990.

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to expedite the delivery of LMDS to the public. With regard to whether the Commission has properly identified the interests that are significantly affected by the key issues addressed in the Second NPRM<sup>4</sup>, Ameritech agrees that the types of interests most directly affected by the sharing rules would be adequately represented by including developers, manufacturers and potential licensees in the LMDS service, pending mobile satellite applicants, and fixed satellite service applicants in the proposed NRMC.

However, the membership tentatively identified by the Commission<sup>5</sup> may not provide sufficient breadth of input regarding the interests of potential LMDS licensees. In light of the anticipated high level of demand for LMDS services, the NRMC's membership should include a wider array of Local Exchange Carriers ("LECs") and small- and medium-sized businesses, two specific groups that will be of great importance in the efforts of the NRMC.

For example, to its knowledge and belief, Ameritech is currently unique in that it is considering both AM and digital transmission technologies, in order to construct as broad and open a platform as possible for LMDS and other potentially-integrated services. LECs and other potential licensees would likely hold architectural views which would introduce different considerations into the Committee's efforts. Similarly, the NRMC's development of information regarding the proper definition of the marketplace, the amount and nature of related investment in the rapidly-evolving National Information Infrastructure, and the job and economic growth impacts of the proposed LMDS service would benefit from the input of a broad range of business interests, including potential

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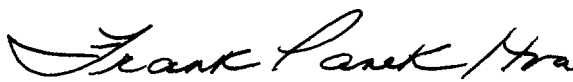
<sup>4</sup> Rulemaking to Amend Part 1 and Part 21 of the Commission's Rules to Redesignate the 27.5 - 29.5 GHz Frequency Band And To Establish Rules and Policies for Local Multipoint Distribution Service, CC Docket No. 92-297, Second Notice of Proposed Rulemaking, Adopted January 19, 1994 (hereinafter "Second NPRM").

<sup>5</sup> Federal Register, Vol. 59, No. 33, February 17, 1994, 7961, at 7962.

licensees and developers of LMDS technology. Inclusion of small- and medium-sized businesses appear to offer the greatest potential benefit in this regard.

In summary, Ameritech agrees that formation of an appropriately-staffed NRMC should not only expedite the availability of the proposed LMDS service, but also permit the NRMC to produce the most useful output toward that end.

Respectfully submitted,

A handwritten signature in cursive script, reading "Frank M. Panek".

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Dated: March 21, 1994